

1 JAMES C. OTTESON, State Bar No. 157781  
jim@agilityiplaw.com  
2 MONICA MUCCHETTI ENO, State Bar No. 164107  
monica@agilityiplaw.com  
3 AGILITY IP LAW  
1900 University Circle, Suite 201  
4 East Palo Alto, CA 94303  
Telephone: (650) 227-4800  
5 Facsimile: (650) 318-3483  
  
6 Attorneys for Defendants  
KERANOS LLC AND  
7 UNITED MODULE CORP.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 SAMSUNG ELECTRONICS CO., LTD., and  
SAMSUNG SEMICONDUCTOR, INC.,

13 Plaintiffs,

14 v.

15 UNITED MODULE CORP., and KERANOS,  
16 LLC,

17 Defendants.  
18

CASE NO.: CV-11-00430- LHK

**STIPULATED REQUEST FOR  
ORDER EXPEDITING BRIEFING  
AND HEARING SCHEDULE ON  
DEFENDANTS' MOTIONS TO  
DISMISS AND CASE  
MANAGEMENT CONFERENCE  
AND ORDER**

19 WHEREAS on February 1, 2011, defendants United Module Corp. ("United Module")  
20 and Keranos, LLC ("Keranos") filed their Motions to Dismiss Pursuant to the First to File Rule  
21 and/or for Lack of Subject Matter Jurisdiction ("Motion to Dismiss") in the above-referenced  
22 action before Magistrate Judge Grewal, the Court to which this case was initially assigned;

23 WHEREAS by Order of February 2, 2011, Magistrate Judge Grewal referred this case to  
24 Judge Lucy Koh with a request to consider whether this case should be related to the following  
25 three declaratory judgment actions before Judge Koh entitled:

- 26 • *Microchip Tech., Inc. et. al. v. United Module Corp. et. al.*, Civil Action No. 3:10-  
27 cv-4241-LHK ("the Microchip California Case") [Dkt. No. 3 at ¶¶ 6-7];  
28

- 1           • *Freescale Semiconductor, Inc. et al. v. United Module Corp. et al.*, Civil Action  
2           No. 10-cv-5196-LV (“Freescale California Case”) [Dkt. No. 3 at ¶¶ 7-8]; and
- 3           • *Taiwan Semiconductor Mfg. Co. et al. v. United Module Corp. et al.*, Civil Action  
4           No. 10-cv-5290-BZ (“the TSMC California Case”) [Dkt. No. 3 at ¶ 9]  
5           (collectively referred to herein as “Related Declaratory Judgment Actions”);

6           WHEREAS all the parties to this action agree that this action should be related with the  
7   Related Declaratory Judgment Actions; and

8           WHEREAS, Keranos and United Module have previously filed Motions to Dismiss  
9   Pursuant to the First to File Rule and/or for Lack of Subject Matter Jurisdiction in the Related  
10   Declaratory Judgment Actions that are currently set for hearing before Judge Koh on March 3,  
11   2011, with opposition briefs due on February 4 and reply briefs due on February 11;

12          WHEREAS, the Joint Case Management Conference for the Related Declaratory  
13   Judgment Actions is also scheduled for March 3, 2011; and

14          WHEREAS, the parties to this action agree that the Motion to Dismiss filed on February  
15   1, 2011 should be heard and considered by Judge Koh at the March 3 hearing;

16          Plaintiff Samsung and Defendants Keranos and United Module hereby agree and  
17   STIPULATE, pursuant to Civ. Local Rule 6-2, that the following briefing and hearing schedule  
18   shall be implemented:

- 19          • Friday, February 4: Plaintiffs in this action and the Related Declaratory Judgment  
20          Actions shall file their opposition to defendants’ Motions to Dismiss.
  - 21          • Friday, February 11: Defendants in this action and the Related Declaratory  
22          Judgment Actions shall file their reply briefs in support of their motions to  
23          dismiss.
  - 24          • Thursday, March 3: Hearing on the motions to dismiss in this action and the  
25          Related Declaratory Judgment Actions.
  - 26          • Thursday, March 3: Case Management Conference for this action and the Related  
27          Declaratory Judgment Actions.
- 28

1 Dated: February 3, 2011

AGILITY IP LAW

2  
3 By: /s/ Monica Mucchetti Eno  
Monica Mucchetti Eno

4 Attorneys for Defendants  
5 KERANOS, LLC and UNITED MODULE  
6 CORP.

7 Dated: February 3, 2011

KING & SPALDING LLP

8  
9  
10 By: /s/ Paul J. Andre  
Paul J. Andre

11 Attorneys for Plaintiffs  
12 SAMSUNG ELECTRONICS CO., LTD. and  
13 SAMSUNG SEMICONDUCTOR, INC.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: February 3, 2011

A handwritten signature in black ink, reading "Lucy H. Koh". The signature is written in a cursive, flowing style. It is positioned above a horizontal line that serves as a separator between the signature and the printed name.

Judge Lucy H. Koh  
Honorable Judge of the  
United States District Court